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RESPONSE UNDER #12  
37 C.F.R. S 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1642 Dey

PATENT  
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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Nobutaka IDA et al.

Appl. No.: 08/809,621

Group: 1642

Filed: June 2, 1997

Examiner: L. Sun Hoffman

**For:** DRUG FOR TREATING BONE DISORDERS

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents  
Washington, DC 20231

June 9, 1999

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated December 9, 1998 of the Primary Examiner finally rejecting claims 7, 9, 10 and 13-15.

- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

- A Statement Claiming Small Entity Status
    - is submitted herewith ( original  photocopy).
    - was previously submitted on \_\_\_\_.

The fee has been calculated as shown below:

- NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$870.00 is required for the full period of the above-requested extension of time.

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**300.00 ♂P  
870.00 ♂P**

- An extension of \_\_\_\_\_ ( ) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$0.00 is required to obtain an additional \_\_\_\_\_ ( ) month(s) for filing the Notice of Appeal.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$300.00
- Small Entity - \$150.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,170.00.

Payment of the above TOTAL FEE is being made in the following manner:

- A check in the amount of \$1,170.00 is enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
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